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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,731	02/21/2002	Allan D. McLean	6582-59189

CONFIRMATION NO. 9443  
FORMALITIES LETTER



KLARQUIST SPARKMAN, LLP  
One World Trade Center  
Suite 1600  
121 S.W. Salmon Street  
Portland, OR 97204

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

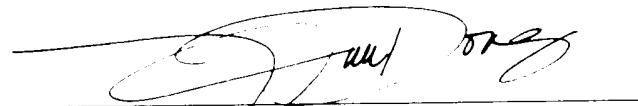
*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 510 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 640.**

Adjustment date: 03/18/2002 MTEKLEM1  
02/21/2002 ZJUHAR1 00000028 084550 10081731  
02 FC:101 170.00 00 550.00 00

*A copy of this notice MUST be returned with the reply.*

  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/29/2002 ZJUHAR1 00000028 084550 10081731

01 FC:101 170.00 00 550.00 00

MAY 28 2002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Allan D. McLean

Art Unit: Not yet assigned

Application No. 10/081,731

Filed: February 21, 2002

For: APPLE TREE NAMED 'MC38'

Examiner: Not yet assigned

Date: May 14, 2002

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 15, 2002, as First Class Mail in an envelope addressed to:  
BOX MISSING PARTS, COMMISSIONER FOR PATENTS,  
WASHINGTON D.C. 20231.

*David P. Petersen*  
David P. Petersen  
Attorney for Applicant

MISSING PARTS TRANSMITTAL LETTER

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
Washington, DC 20231

Enclosed for filing in the application referenced above are the following:

- Copy of Notice to File Missing Parts of Application--Filing Date Granted
- Basic Filing Fee of \$510.00
- Assignment and Recordal Fee of \$40.00
- Combined Declaration and Power of Attorney
- Surcharge for Late Filing of Fee or Oath or Declaration
  - \$65.00 - Small Entity
  - \$130.00 - All Others
- A check in the amount of \$680.00 to cover the above-listed fees
- The Director is hereby authorized to charge any additional fees which may be required, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

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cc: Docketing